

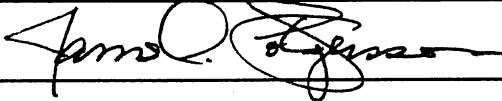
TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Leslye Corsiglia

SUBJECT: SEE BELOW

DATE: August 11, 2004

Approved



Date

8 / 19 / 04

COUNCIL DISTRICT: Citywide

INFORMATION

**SUBJECT: QUARTERLY REPORT DETAILING ACTIVITY IN THE HOUSING
DEPARTMENT'S RENTAL RIGHTS AND REFERRALS PROGRAM**

This report covers the Rental Rights and Referrals Program activity for the fourth quarter of Fiscal Year 2003-04. The Rental Rights and Referrals Program provides education, information and referrals on Rental Rights for tenants and landlords.

Program Highlights

Major actions completed during the fourth quarter of FY 2003-04 include:

- **Petitions Filed** - Eleven petitions were filed with the Program between April 1, 2004 and June 30, 2004. Of the 11 petitions filed, 10 were eligible for services and one petition was ineligible (the rental property is not covered under the City ordinance).
- **2431 Rinconada Drive** – A voluntary agreement on Service Reductions was reached between the landlord and the tenant. In the future, the tenant will not fix the cars at the rental property. Landlord requests that the tenant provide work orders in case of any repairs and the landlord will provide a copy of the work order saying that the repair was completed. In the case where a job has not been completed, the landlord will notify the tenant regarding the additional repairs.
- **Annual Phone Tree Database** – During Fiscal Year 2003-04, the Program implemented the final recommendation made by the Auditor. The phone tree system now answers calls twenty-four hours a day. All of the information available may be accessed in both English and Spanish. The phone tree technology also provides weekly statistical reports tracking all calls. The phone tree system reported 9,208 calls during the FY 2003-04. Information from this database is attached to this report (Attachment A).

Non-Rent Control Mediation Program

During this quarter, there was one petition filed on a 60-day notice for the Non-Rent control program. In addition, Program staff provided 270 tenants and landlords with information, support, and legal referrals. This represents 36% of the total inquiries to the Rental Rights and Referrals Program during the fourth quarter of FY 2003-04.

- **2989 Nieman Blvd** – A petition was filed regarding a 60-day notice. A voluntary agreement was reached between the landlord and the tenant. According to the mediation hearing decision, the Hearing Officer will provide a copy of the agreement between the tenant and management of the rental property to the program staff.

Quarterly Reports

The following reports are included in this document.

- **Phone Tree** – The phone tree system reported 2,707 calls during the fourth quarter of FY 2003-04. The data demonstrates that a majority of calls are from English speakers regarding rental issues. Information from this data collection is attached to this report (Attachment B).
- **Database Reports** – The call log database tracked 749 inquiries during the fourth quarter of FY 2003-04. The Program received 453 incoming calls on voicemail, 270 callers left their phone number so that staff could return the call 19 were walk-in clients, and 7 clients received information by email. A detailed report showing the data collected is attached to this report (Attachment C). During the fourth quarter of FY 2003-04, the Rental Rights and Referrals Program also received seven 30-day notices, six 60-day notices, and four 90-day notices. Information from this database is attached to this report (Attachment D).
- **Public Outreach Report** – Rental Rights and Referrals Program staff participated in two community events, sponsored by the Neighborhood Associations and Community Organizations, and provided information regarding rent control and eviction notices. Staff made one presentation to a community group, educating residents on tenant/landlord rights provided under the Rent Control Ordinance. A detailed list of each outreach event is attached to this report (Attachment E).
- **Case Log Report** – Eleven petitions were filed with the Rental Rights and Referrals Program between April 1, 2004 and June 30, 2004. Ten of these petitions were regarding service reductions. One petition was ineligible because the rental property is not covered under the City ordinance. Information regarding these cases is attached to this report (Attachment F).


LESLIE CORSIGLIA
Director of Housing

Annual Phone Tree Report

July 1, 2003 - June 30, 2004

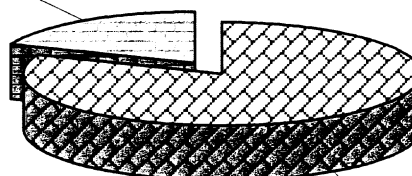
Attachment A

English	7,467
Spanish	1,741
Total	9,208

Language Option

7/01/2003 - 6/30/2004

Spanish
19%



English
81%

English

Spanish

Tenants Rights	2,221
Landlord Rights	1,137
Deposit	404
Mobilehome Owners	308
Legal Referrals	1,392
Total	5,462

Phone Tree Menu

7/1/2003 - 6/30/2004

Tenants
Rights
41%

Legal
Referrals
25%

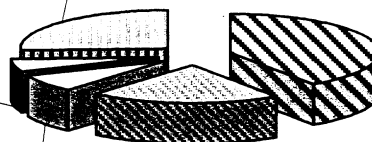
Mobilehome
Owners
6%

Deposit
7%

Landlord
Rights
21%

Tenants Rights
Deposit
Legal Referrals

Landlord Rights
Mobilehome Owners



Rental Rights and Referrals Program

Data from July 1, 2002 -June 30, 2003

Attachment A

Number of Inquiries

	July	August	September	October	November	December	January	February	March	April	May	June	Total	Percent
Incoming Phone Calls	113	176	210	90	75	84	140	129	129	162	114	197	1,619	74%
Returned Phone Calls	34	103	59	14	51	22	66	48	37	58	13	3	508	23%
Walk-in	8	4	5	0	2	9	8	2	3	10	5	3	59	3%
Total	155	283	274	104	128	115	214	179	169	230	132	203	2,186	100%

Languages Spoken

	July	August	September	October	November	December	January	February	March	April	May	June	Total	Percent
English	142	250	250	88	119	109	196	162	161	210	121	182	1,990	91%
Spanish	7	14	12	12	4	3	13	14	6	17	10	19	131	6%
Vietnamese	1	8	6	1	3	2	0	0	1	0	0	1	23	1%
Other	5	11	6	3	2	1	5	3	1	3	1	1	42	2%
Total	155	283	274	104	128	115	214	179	169	230	132	203	2,186	100%

Referral Topic

	July	August	September	October	November	December	January	February	March	April	May	June	Total	Percent
Deposit	29	18	26	12	11	11	28	23	26	40	16	47	287	10%
Maintenance	19	19	9	5	7	9	11	10	7	11	3	12	122	4%
Allowable Rent Increase	34	27	40	19	8	24	22	23	19	24	13	18	271	9%
Rights	89	156	166	74	108	80	165	140	138	174	100	105	1,495	52%
Ordinance	26	72	49	3	2	2	16	70	58	103	69	19	489	17%
Eviction	10	26	17	7	5	5	16	9	23	27	17	28	190	7%
Total	207	318	307	120	141	131	258	275	271	379	218	229	2,854	100%

Referrals

	July	August	September	October	November	December	January	February	March	April	May	June	Total	Percent
Code Enforcement	20	20	34	16	6	9	22	18	13	27	11	12	208	21%
Asian Law Alliance	22	35	36	12	19	5	1	10	11	14	10	3	178	18%
Legal Aid	45	52	66	36	44	20	64	50	70	71	39	51	608	61%
Total	87	107	136	64	69	34	87	78	94	112	60	66	994	100%

Rental Rights and Referrals Program

Data from July 1, 2003 -June 30, 2004

Attachment A

Number of Inquiries

	July	August	September	October	November	December	January	February	March	April	May	June	Total	Percent
Incoming Phone Calls	88	32	48	78	54	81	118	113	131	165	146	142	1,196	55.6%
Returned Phone Calls	26	41	70	148	57	29	74	81	73	75	70	125	869	40.4%
E-mail	0	0	0	0	0	0	0	0	0	0	6	1	7	0.3%
Walk-in	8	8	5	6	7	11	6	3	6	6	7	6	79	3.7%
Total	122	81	123	232	118	121	198	197	210	246	229	274	2,151	100.0%

Languages Spoken

	July	August	September	October	November	December	January	February	March	April	May	June	Total	Percent
English	103	79	106	223	108	100	186	178	189	218	220	257	1,967	92%
Spanish	13	0	13	9	9	10	10	15	14	24	7	13	137	6%
Vietnamese	0	2	0	0	1	9	1	2	2	4	1	4	26	1%
Other	0	0	2	0	0	0	1	2	5	0	3	0	13	1%
Total	116	81	121	232	118	119	198	197	210	246	231	274	2,143	100%

Referral Topic

	July	August	September	October	November	December	January	February	March	April	May	June	Total	Percent
Deposit	23	12	15	15	13	31	31	28	28	26	42	47	115	3%
Maintenance	7	5	3	3	0	4	11	8	2	6	9	15	73	2%
Allowable Rent Increase	7	2	7	21	14	5	8	5	12	5	4	11	101	3%
Rights	86	67	102	215	105	73	142	157	169	191	188	243	1,738	47%
Ordinance	15	42	82	200	89	54	121	137	126	133	138	209	1,346	37%
Eviction	20	9	10	18	18	16	32	15	20	40	53	62	313	8%
Total	158	137	219	472	239	183	345	350	357	401	434	587	3,686	100%

Referrals

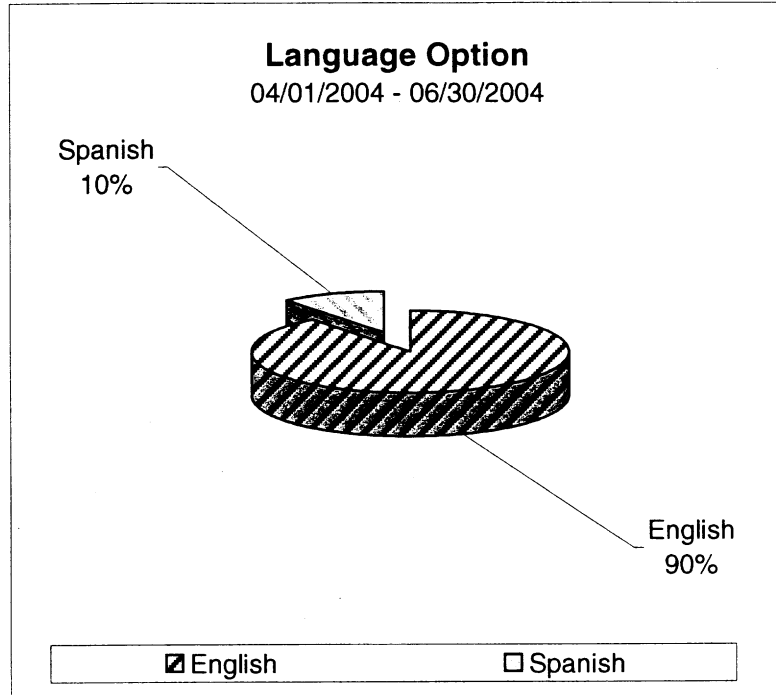
	July	August	September	October	November	December	January	February	March	April	May	June	Total	Percent
Code Enforcement	11	7	5	21	12	7	15	16	14	35	17	21	181	14%
Asian Law Alliance	1	3	1	4	0	4	2	2	2	0	0	4	23	2%
Legal Aid	30	28	37	82	49	71	106	118	105	125	116	185	1,052	84%
Total	42	38	43	107	61	82	123	136	121	160	133	210	1,256	100%

Phone Tree Report

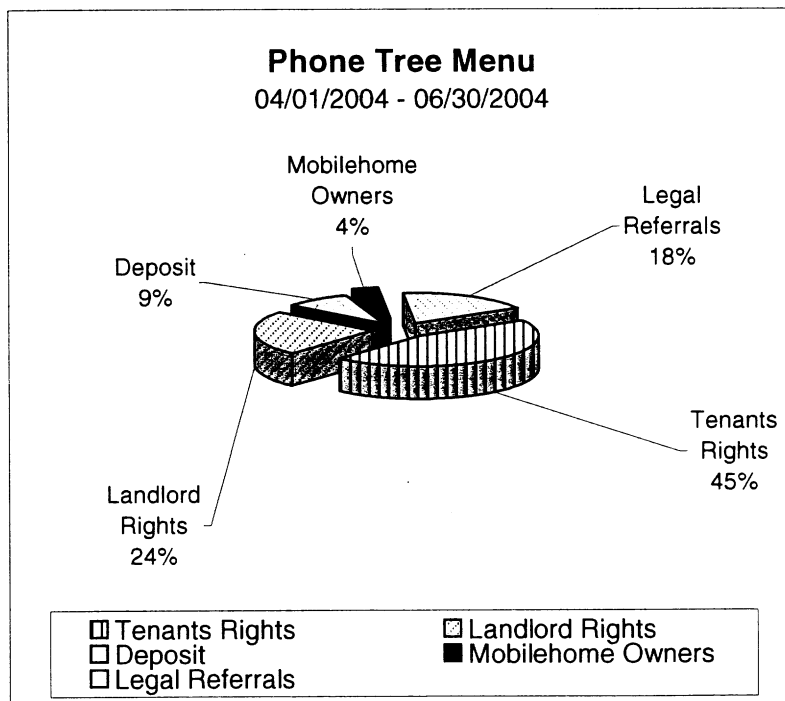
Fourth Quarterly Report FY 2003-04

Attachment B

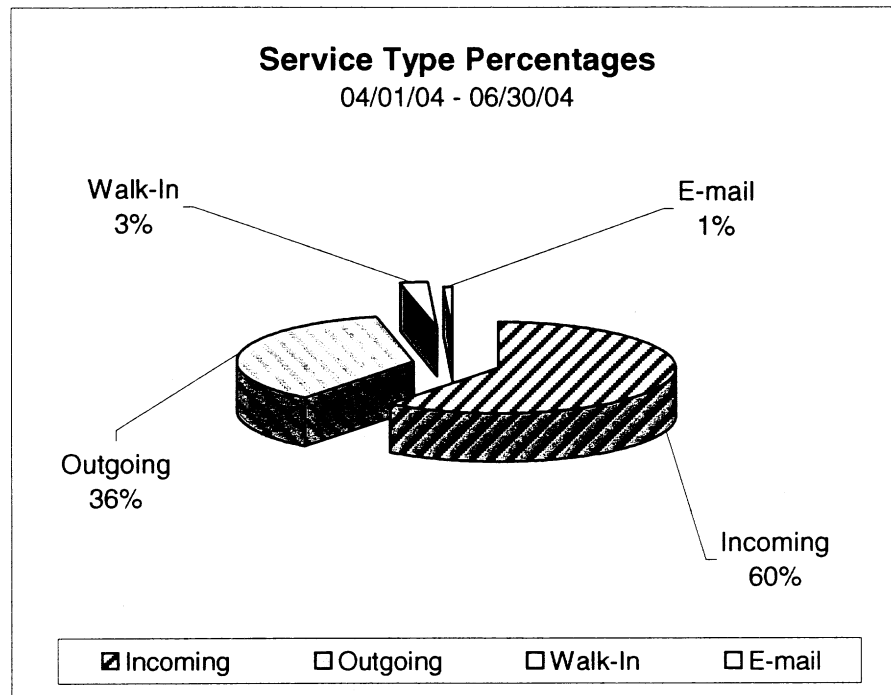
English	2,423
Spanish	284
Total	2,707



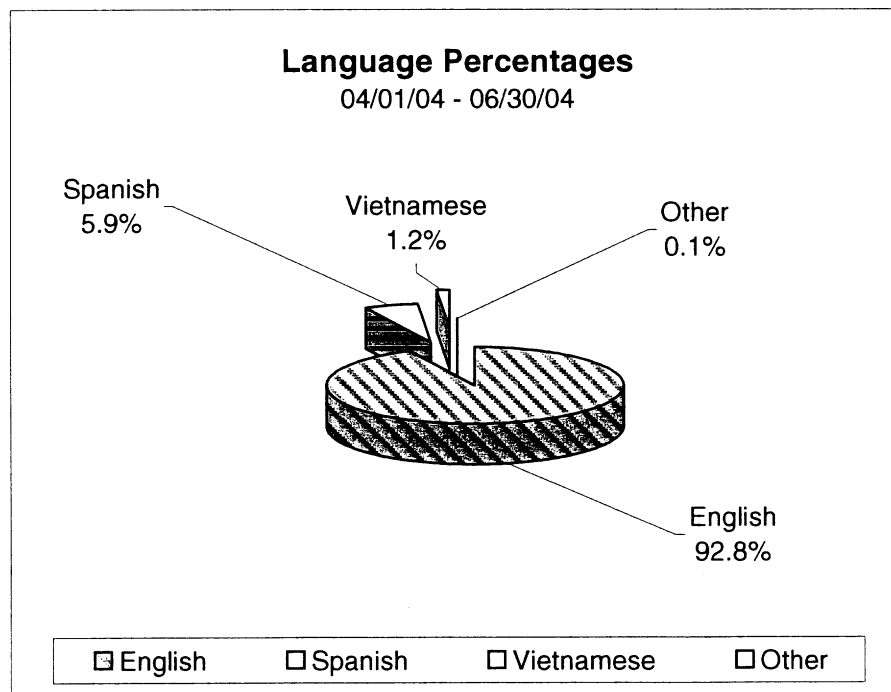
Tenants Rights	1,009
Landlord Rights	530
Deposit	200
Mobilehome Owners	81
Legal Referrals	410
Total	2,230



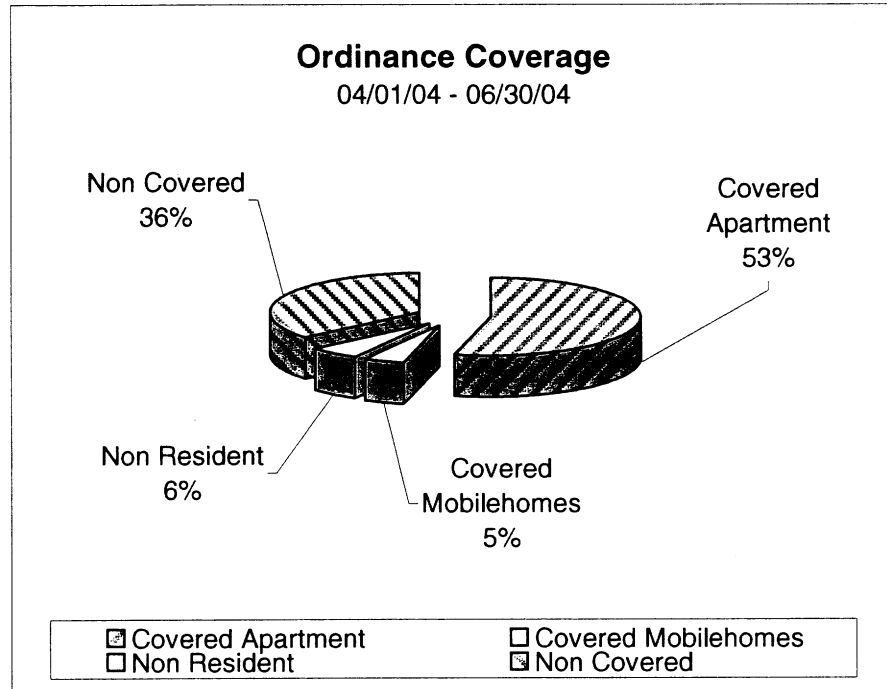
Incoming	453
Outgoing	270
Walk-In	19
E-mail	7
Total	749



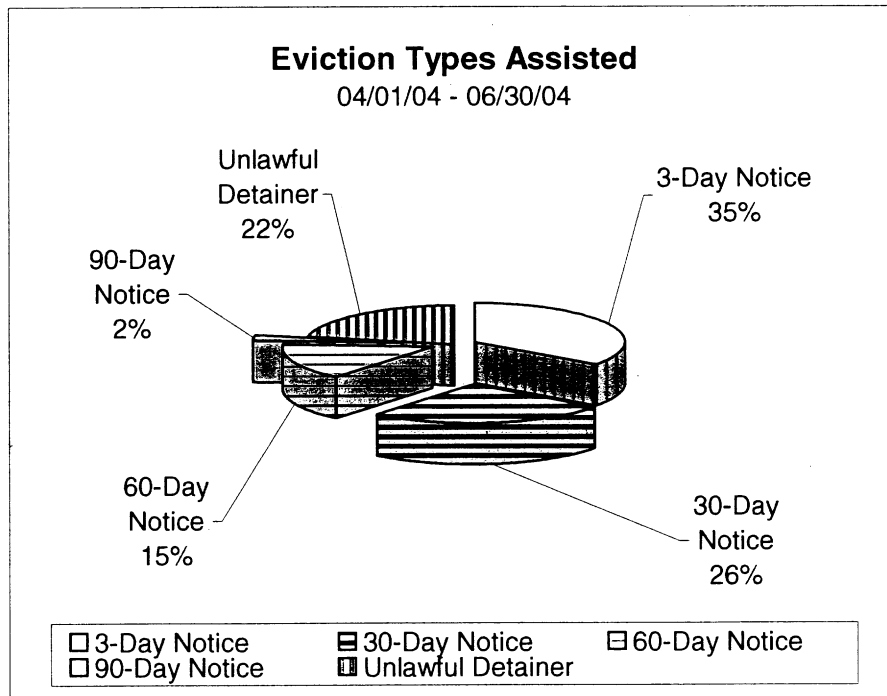
English	695
Spanish	44
Vietnamese	9
Other	1
Total	749



Covered Apartment	403
Covered Mobilehomes	34
Non Resident	42
Non Covered	270



3-Day Notice	47
30-Day Notice	35
60-Day Notice	20
90-Day Notice	3
Unlawful Detainer	29



30/60/90-Day Notice Information

Attachment D

Fourth Quarter FY 2003-04

4/1/04 - 6/30/04

Notices to Vacate			
Address	Zip Code	Date Served	Date Received
30-Day Notices			
3801 Underwood Drive #4	94086	04/06/04	04/13/04
960 North 4th St. #95	95112	04/14/04	04/16/04
2982 Maglioces Drive #	95008	04/28/04	05/03/04
422 North 26th St. #4	95116	05/19/04	05/19/04
1141 Kingman Ave #6	95128	06/01/04	06/14/04
2380 South Bascom #	95117	06/09/04	06/11/04
752 South 9th St. #5	95112	06/20/04	06/23/04
Subtotal: 7			
60-Day Notices			
472 North 3rd St. #1	95112	04/22/04	04/27/04
529 Troy Drive #4	95117	05/01/04	05/03/04
529 Troy Drive #2	95117	05/01/04	05/03/04
342 Checkers Drive #208	95133	05/11/04	05/14/04
2601 Nuestra Castillo Ct. #1203	95127	05/28/04	06/01/04
4207 Sophia Way #2004	95134	05/19/04	05/20/04
Subtotal: 6			
90-Day Notices			
166 Rainer St. #1	95122	04/19/04	04/21/04
1946 Lakewood Drive #B	95132	05/17/04	05/17/04
2601 Nuestra Castillo Ct. #4206	95127	06/07/04	06/09/04
363 Greendale Way #3	95129	03/26/04	04/05/04
Subtotal: 4			
Total: 17			

Public Outreach Report

Date: April 3, 2004

Type: Community Spring Festival

Audience: Neighborhood Associations and Community Organizations

Location: Southside Community & Senior Center

Participants: 250

The Spring Festival is a community event that brings people together to enjoy a day of full activities. Rental Rights and Referrals Program staff participated in this event and provided 100 English and 150 Spanish landlord/tenant information fact sheets.

Date: June 6, 2004

Type: Community Resource Fair

Audience: Neighborhood Associations and Community Organizations

Location: History Park San Jose

Participants: 10,000

The offices of Councilmembers Forrest Williams, Cindy Chavez, Chuck Reed, Terry Gregory, and David Cortese organized the Community Resource Fair event on June 6, 2004. This event was open to everyone but it targeted the Vietnamese - American community. The event serves to educate the community about the services and resources that the City of San Jose, and local agencies have to offer. Rental Rights and Referrals Program served about 200 English and over 1,000 Vietnamese brochures.

Date: June 9, 2004

Type: Affordable Housing Week Workshop

Audience: Neighborhood Associations and Community Organizations

Location: First Christian Church in San Jose

Participants: 50

Rental Rights and Referrals Program staff gave a presentation, educating tenants on their rights under both Rent Control and Non-Rent Control units. Fair Housing representative also provided information regarding legal issues for the landlord and the tenant. The presentation lasted approximately two hours and concluded with the distribution of relevant brochures and applications. The majority of the attendees live in non-rent controlled apartments.

Rental Rights and Referrals Program Case Log Report
Fourth Quarter FY 2003-04

Attachment F

General Information						Violation Type*					Mediation and Arbitration Process					Disposition of Cases
Address Street Number	Zip Code	Date Filed	Date Approved	# Of Petitions	Ineligible Petitions	%	SR	HC	Freq	Rights	Mediation Voluntary	Decision	Arbitration Voluntary	Decision	Closed	
4029 Will Rogers Dr. #24	95117	03/29/04	4/12/2004	1	1		1								4/12/2004	The petition was ineligible. Rental property is not under the ordinance. Tenant was on section 8.
1745 McKee Rd. #29		04/06/04	4/12/2004	1			1			1					4/12/2004	Tenant received a thirty day notice to vacate the premises.
1541 Flanigan Dr. #134	95127	03/01/04		1			1								4/15/2004	Tenant reached an agreement with the owner and withdrew the petition.
1200 Ranchero Way #58	95117	04/09/04	4/13/2004	1			1				4/27/2004				4/29/2004	The tenant and landlord reached a voluntary agreement. The owner will reduce the rent for the month of May by \$300.00.
1112 Roewill Dr. #2 & #4	95117	04/20/04	4/29/2004	2			2	2		2	5/13/2004				5/28/2004	The tenant was not entitled to an extra service reduction. This decision was made by the hearing officer.
2431 Rinconada #24	95117	04/30/04	5/12/2004	1			1				6/3/2004		6/3/2004		6/3/2004	The tenant and landlord reached a voluntary agreement. The landlord will replace and fix all the health and safety issues.
750 North 23rd St. #6	95112	04/29/04	5/13/2004	1			1			1	6/9/2004		6/10/2004		6/10/2004	The tenant and landlord reached a voluntary agreement. The owner will waive the rent for two months. Tenant decided to withdraw his petition.
1449 Dubert Ln. #1	95112	05/18/04		1			1				6/9/2004				6/7/2004	The tenant and landlord reached a voluntary agreement.
1816 Senter Rd. #1	95112	04/28/04	5/16/2004	1			1				6/7/2004		6/7/2004		6/7/2004	The agreement was made between the landlord and the tenants. Landlord will pay residents \$50.00 on June 8, 2004. Both parties agreed that there will not be an civil suit filed regarding the tenancy agreement and rental relationship.
2989 Neiman Blvd. #414	95148	06/04/04	6/7/2004	1							6/24/2004					Current.
Totals for Fourth Quarter FY 2002-03:				11	1	0	10	2		5						
Total Petitions Filed:				11		9%	91%	18%		\$45%						

*Each petition may have more than one type of violation indicated.

Legend	
Rent Increase Beyond 8%	%
Service Reduction	SR
Housing Code Violation	HC
Frequent Rent Increase	Freq
Notification of Rights	Rights